

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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GARY LA BARBERA and THEODORE KING,
as Trustees and Fiduciaries of the
Local 282 Welfare Trust Fund, the
Local 282 Pension Trust Fund, the
Local 282 Annuity Trust Fund, the
Local 282 Job Training Trust Fund,
and the Local 282 Vacation and
Sick Leave Trust Fund,

Plaintiffs,

ORDER ADOPTING
REPORT & RECOMMENDATION
04-CV-1623 (JS)(JO)

-against-

TAFF TRUCKING CORP.,

Defendant.

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Appearances:

For Plaintiff: Bruce S. Levine
Cohen, Weiss and Simon LLP
330 West 42nd Street
New York, NY 10036

For Defendant: No Appearance

SEYBERT, District Judge:

Upon review of the Report and Recommendation of
Magistrate Judge James Orenstein, issued on February 10, 2006, to
which no party has objected, the Court hereby ADOPTS the Report and
Recommendation in its entirety. The Court GRANTS Plaintiffs'
motion for a default judgment and awards Plaintiff \$74,099.70 as
compensation for: (1) \$45,856.55 in unpaid contributions; (2)
\$10,769.20 in prejudgment interest on unpaid contributions; (3)
\$10,769.20 in liquidated damages; (4) \$5,492.50 in attorneys' fees;
and (5) \$1,212.25 in costs.

Magistrate Judge Orenstein directed Plaintiffs to serve

Defendant with a copy of the Report and Recommendation via certified mail. The Report and Recommendation provided that any objections were to be filed with the Clerk of the Court within ten (10) days of the date of service. Plaintiff has filed an affidavit of service, indicating that the Report and Recommendation was served on Defendant via first class and certified mail on February 15, 2006.

The time to object to the Report and Recommendation has expired. Accordingly, all objections are hereby deemed to have been waived. The Court therefore ADOPTS the Report and Recommendation and ORDERS that a default judgment be entered against Defendant in accordance with Magistrate Judge Orenstein's Report and Recommendation. Plaintiff is ORDERED to serve a copy of this Order upon Defendant via certified mail within ten days of the entry of this Order.

SO ORDERED

/s/ JOANNA SEYBERT
Joanna Seybert, U.S.D.J.

Dated: Central Islip, New York
March 14, 2006